

AUG 06 2004

INFORMATION DISCLOSURE CITATION

(Use 99 serial sheets if necessary)

ATTY. DOCKET NO.

21:29:4002-441

SERIAL NO.

08/603,676

APPLICANT

James E. Van Hoeck, et al.

FILING DATE

February 20, 1996

GROUP

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----------------|----------------|------------------|-------|----------|-------------------------------|
| 01 | 4,620,327 | Nov. 4, 1986 | Caplan et al. | | | |
| | 4,623,553 | Nov. 18, 1986 | Ries et al. | | | |
| | 5,147,402 | Sep. 15, 1992 | Bohler et al. | | | |
| | 5,306,309 | April 26, 1994 | Wagner et al. | | | |
| | 5,425,772 | June 20, 1995 | Brantigan | | | |
| | 5,514,180 | May 7, 1996 | Heggeness et al. | | | |
| 01 | 5,522,899 | June 4, 1996 | Michelson | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

FOREIGN PATENT DOCUMENTS

| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|----|-----------------|--------------|---------|-------|----------|-------------|----|
| | | | | | | YES | NO |
| 01 | EP 0 599 419 A2 | June 1, 1994 | Europe | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

EXAMINER

Doris Hochelle

DATE CONSIDERED

5/17/97

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Best Available Copy



Sheet 1 of 1

Serial No.
CPA of USSN 08/603,676

Filing Date
February 20, 1996

Group

[illegible]

| FOREIGN PATENT DOCUMENTS | | | | | | | Translation | |
|--------------------------|-----------------|----------|---------|-------|----------|-----|-------------|--|
| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | | | |
| | | | | | | Yes | No | |
| 01 | 0 399 419 A2 | 06/01/94 | Europe | | | X | | |
| | 2 710 319 | 9/29/93 | France | | | | | |
| | WO 95/31947 | 11/30/98 | PCT | | | X | | |
| | WO 94/26893 | 11/24/94 | PCT | | | X | | |
| | WO 95/31947 | 11/30/95 | PCT | | | X | | |

Examiner

Date Considered _____

* Examiner: initial if reference considered, whether or not citation is in conformance with MPEP 609 Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Best Available Copy



| | | |
|---|---|---------------------------------|
| INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) | ATTY. DOCKET No. 4002-441/95:13 | SERIAL NO. 08/603,676 |
| | APPLICANT James Van Hoeck | |
| | FILING DATE February 20, 1996 | GROUP ART UNIT 3308 |

U.S. PATENT DOCUMENTS

| Examiner Initial | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|------------------|-----------------|----------|----------------------|-------|-----------|----------------------------|
| D | 3,848,601 | 11/19/74 | Ma et al | 128 | 305 | |
| | 4,309,777 | 01/12/82 | Patil | 3 | 1.91 | |
| | 4,349,921 | 09/21/82 | Kuntz | 128 | 92 | |
| | 4,501,269 | 02/26/85 | Bagby | 128 | 92 | |
| | 4,526,909 | 07/02/85 | Urist | 523 | 115 | |
| | 4,596,574 | 06/24/86 | Urist | 623 | 16 | |
| | 4,599,086 | 07/08/86 | Doty | 623 | 17 | |
| | 4,714,469 | 12/22/87 | Kenna | 623 | 17 | |
| | 4,743,256 | 05/10/88 | Brantigan | 623 | 17 | |
| | 4,759,766 | 07/26/88 | Buettner-Janx et al. | 623 | 17 | |
| Y | 4,772,287 | 09/20/88 | Ray et al | 623 | 17 | |

FOREIGN PATENT DOCUMENTS

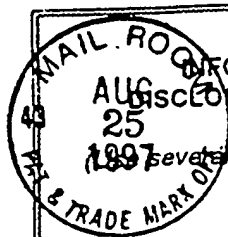
| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION | |
|----|-----------------|----------|---------|-------|-----------|-------------|----|
| | | | | | | Yes | No |
| 01 | 0 179 695 | Q4/30/86 | Europe | | | | |
| | WO 90/00037 | 01/11/90 | PCT | | | | |
| 01 | WO 92/14423 | 09/03/92 | PCT | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|--|---|
| 121 | | The Anterior Approach for Removal of Ruptured Cervical Disks, Ralph B. Cloward, M.D., Honolulu Kawaii. Presented at the meeting of the Harvey Cushing Society, Wasington, D.C. 4/22/58 |
| 11 | | The Treatment of Certain Cervical-Spine Disorders by Anterior Removal of the Intervertebral Disc and Interbody Fusion, George W. Smith, M.D. Robert A. Robinson, M.D., The Journal of Bone and Joint Surgery Vol. 40-3, No. 3, June 1958. |
| Y | | |
| EXAMINER David J. Isabella Primary Examiner | | DATE CONSIDERED 5/98 |

*EXAMINER : Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Best Available Copy

| | | |
|--|-----------------------------------|--------------------------|
|  | ATTY DOCKET No. 4002-441/95:13 | SERIAL NO. 08/603,676 |
| | APPLICANT James Van Hoeck | |
| | FILING DATE Febr. 20, 1996 | GROUP ART UNIT 3308 |

U.S. PATENT DOCUMENTS

| Examiner Initial | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|------------------|-----------------|------|------|-------|-----------|----------------------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

FOREIGN PATENT DOCUMENTS

| DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION | |
|-----------------|------|---------|-------|-----------|-------------|----|
| | | | | | Yes | No |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|----------|---------------------------------------|---|
| 01 | | Proceedings, 10th Annual Conf. North American Spine Society, Oct. 18-21, 1995, Washington, D.C., pages 10-11. |
| 121 | | American Academy of Orthopaedic Surgeons 1996 Annual Meeting - Scientific Papers, discussion of papers 73, 74, and 75. Mark D. Brown, M.D., Miami Florida |
| 51 | | Replacement of the Lumbar Vertebrae of Sheep w/Ceramic Prostheses Takao Yamamuro, The Jour. of Bone & Joint surgery, Vol. 72-B, No 5, Sept. 1990 |
| 01 | | |
| EXAMINER | David J. Isabella Primary Examiner | DATE CONSIDERED 5/98 |

*EXAMINER : Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Best Available Copy

Best Available Copy

[illegible][illegible]

| | | | |
|---------------------------------------|--|--|--|
| DI | | | Healing Segmental Femoral Defects in Sheep Using Recombinant Human Bone Morphogenetic Protein, Tobin M. Gernhart, M.D., et al., Clinical Orthopaedics and Related Research, Number 293, pages 317-326. |
| DI | | | Preliminary Program from Forty-Second Annual Meeting of the Orthopaedic Research Society, Hyatt Regency, Atlanta, Georgia February 18-22, 1996. |
| EXAMINER | | | DATE CONSIDERED |
| David J. Isabella Primary Examiner | | | 5/98 |

Form PTO-FB-A820

| | | | | | |
|--|---|----|---|----------------------|--------------------|
| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/775,546 |
| | | | | Filing Date | February 10, 2004 |
| | | | | First Named Inventor | James E. VAN HOECK |
| | | | | Group Art Unit | 3738 |
| | | | | Examiner Name | Isabella, David J. |
| Sheet | 1 | of | 1 | Attorney Docket No. | 4002-3480 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|-----------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Application of Cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | | US 5-015-247 | 05-14-1991 | Michelson | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|---|--------------------------------|--|--|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Application of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ³ |
| | | Country Code ⁴ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
| | | WO 89/09035 | 10-05-1989 | Brantigan | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | | | |
|---|-----------------------|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher city and/or country where published | T ³ |
| | | | |
| | | | |
| | | | |

| | | | |
|--------------------|--|-----------------|---------|
| Examiner Signature | | Date Considered | 5/25/04 |
|--------------------|--|-----------------|---------|

EXAMINER: Initial if reference considered; whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.